

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**Michael Ray Eddy and Anne Wroblewski Eddy**

S.S. Nos.: xxx-xx-1097 and xxx-xx-0772

Mailing Address: 555 Moosetracks Trail, Cedar Grove, NC 27231-

**Case No. 10-82293**

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on December 20, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: January 6, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# **CH. 13 PLAN - DEBTS SHEET** (MIDDLE DISTRICT - DESARDI VERSION)

Date: 11/9/10  
Lastname-SS#: Eddy-1097

## **RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN**

Retain	Creditor Name	Sch D #	Description of Collateral

## **SURRENDER COLLATERAL**

Creditor Name	Description of Collateral

## **ARREARAGE CLAIMS**

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
	BOA		\$1,502	**
				**
				**
				**

## **REJECTED EXECUTORY CONTRACTS/LEASES**

Creditor Name	Description of Collateral

## **LTD - BOI ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS**

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	BOA		\$1,502	N/A	n/a	\$1,502.00	Home and Land
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

## **STD - SECURED DEBTS @ FMV**

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			

## **STD - SECURED DEBTS @ 100%**

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)		Amount	
Law Offices of John T. Orcutt, P.C.		\$2,800	
SECURED TAXES		Secured Amt	
IRS Tax Liens			
Real Property Taxes on Retained Realty			
UNSECURED PRIORITY DEBTS		Amount	
IRS Taxes		\$10,000	
State Taxes		\$2,027	
Personal Property Taxes			
Alimony or Child Support Arrearage			
CO-SIGN PROTECT (Pay 100%)		Int.%	Payoff Amt
All Co-Sign Protect Debts (See*)			
GENERAL NON-PRIORITY UNSECURED		Amount**	
DMI=	None(\$0)		None(\$0)

## **PROPOSED CHAPTER 13 PLAN PAYMENT**

\$ **\$1,881** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **4.88** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD (DeSardi Version 1/12/10) © LOJTO

## **Other Miscellaneous Provisions**

Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
\_\_\_\_\_  
Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Home Depot Credit Services\*\*\*  
Post Office Box 653000  
Dallas, TX 75265-3000

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

American Express\*\*  
Post Office Box 981535  
El Paso, TX 79998-1535

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Bank of America \*\*  
Post Office Box 15026  
Wilmington, DE 19886-5026

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Bank of America Home Loans\*\*  
Customer Service  
PO Box 5170  
Simi Valley, CA 93062-5170

LOWES  
Post Office Box 103080  
Roswell, GA 30076

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

BB&T\*\*\*  
Bankruptcy Department  
Post Office Box 1847  
Wilson, NC 27894

North Carolina Department of Re  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Capital One \*\*\*  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

North Carolina Dept of Revenue\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Chase \*\*\*\*  
Cardmember Service  
Post Office Box 15298  
Wilmington, DE 19850-5298

Orange County Tax Collections\*\*  
PO Box 8181  
Hillsborough, NC 27278

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Dell Financial Services  
c/o Citibank  
One Dell Way, Bldg B  
Round Rock, TX 78682

Wells Fargo Financial Card Servi  
Post Office Box 5943  
Sioux Falls, SD 57117-5943